IN 25 2004 IN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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: Stuart A. Fraser et al.

Application No.

: 09/859,661

Confirmation No.: 3933

Filed

: May 17, 2001

RECEIVED

For Reissue of

Patent No.

: 5,905,974

MAR 2 9 2004

Issued

: May 18, 1999

**Technology Center 2100** 

For

: AUTOMATED AUCTION PROTOCOL PROCESSOR

Group Art Unit

: 2161

Examiner

: James W. Myhre

New York, New York March 25, 2004

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

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NOTICE OF APPEAL

GROUP 3600

Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed October 3, 2003 in which the rejections of claims 1-5, 7-23, and 31-37 were made final.

- [X] Applicants respectfully request an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.
- [ ] The appropriate fee for a \_\_\_\_\_ extension of time to respond to the final rejection was paid on \_\_\_\_\_

## 03/29/2004 AWONDAF1 00000013 09859661

01 FC:1401 330.00 OP 02 FC:1403 290.00 OP 03 FC:1253 950.00 OP [X] Address all correspondence to:

Joel Weiss
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

- [X] A check in the amount of [] \$330.00 [X] \$620.00 in payment of the [] appeal fee, [X] appeal and oral hearing fees, is enclosed.
- [X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.
- [] Please charge [] \$330.00 [] \$620.00 to Deposit Account No. 06-1075 in payment of the [] appeal fee, [] appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

## EXTENSION FEE

- [X] The following extension fee is applicable to the Notice of Appeal filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$420.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [X] \$950.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,480.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [] \$2,010.00 extension fee for fifth month pursuant to 37 C.F.R. 1.136(a).
  - [X] A check in the amount of [ ] \$110.00; [ ] \$420.00; [X] \$950.00; [ ] \$1,480.00; [ ] \$2,010.00; in payment of the extension fee is transmitted herewith.
  - [X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge the [] \$110.00; [] \$420.00; [] \$950.00; [] \$1,480.00; [] \$2,010.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

Weiss

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